

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Marque Gardeley,

Case No. 2:22-cv-00223-APG-DJA

Petitioner,

ORDER

v.


State of Nevada, et al.,

Respondents.

This is a 28 U.S.C. § 2254 counseled habeas corpus petition. On April 6, 2022, I appointed Ms. Jessie Folkestad to represent Petitioner Marque Gardeley. ECF No. 13. On May 16, 2023, Ms. Folkestad moved to withdraw as counsel, explaining that she was moving to another country. ECF No. 27. On May 19, 2023, I appointed Ms. Jean Schwartz to represent Gardeley. ECF No. 28. Since then, Ms. Schwartz has filed a notice of appearance and two motions for an extension to file an amended petition. ECF Nos. 29, 30, 32. Gardeley has now filed a notice, explaining that Ms. Schwartz has not communicated with him at all since having been appointed. ECF No. 34. Based on (1) the representations in Gardeley's notice and (2) Ms. Schwartz's obligations to Gardeley pursuant to Rule 1.4 of the Nevada Rules of Professional Conduct, I instruct Ms. Schwartz to contact Gardeley as soon as possible and thereafter inform the court about any issues with her ongoing representation of Gardeley. If the issues discussed in his notice do not get resolved, Gardeley is encouraged to file a motion for the appointment of new counsel, and the court will determine whether an ex parte hearing is necessary.

1 I THEREFORE ORDER that Ms. Jean Schwartzer (1) contact Gardeley as soon as
2 possible and (2) inform the court about any issues with her ongoing representation of Gardeley
3 before November 30, 2023.

4 Dated: November 1, 2023

A handwritten signature in black ink, appearing to read 'A. P. Gordon', is written over a horizontal line.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE